

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

**Attorney's Docket No.:**

6653.US.01



**In Re Application Of:** Gerard Gundling

**Serial Number:** 09/470,944    **Filed:** December 22, 1999

**For:** Nucleic Acid Isolation Method and Kit

**Group Art Unit:** 1637    **Examiner:** A. Spiegler

**Mail Stop Appeal Brief-Patents**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**

Applicant hereby appeals to the Board of Appeals and Interferences from the decision of the Examiner dated May 13, 2004, rejecting claims 1-2, 4-10 and 12-16.

The item(s) checked below are appropriate.

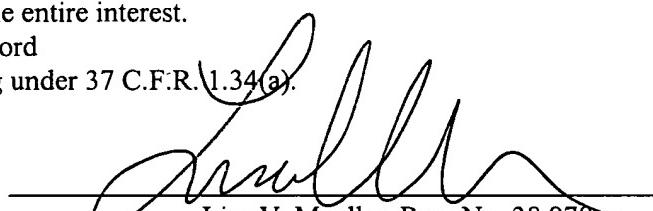
1.  Applicant claims small entity status. (See 37 CFR 1.27.)  
 A Statement Claiming Small Entity Status is enclosed. AUG 26 2004
2.  Appeal fee (37 CFR 1.17(b))  
 Large Entity - \$330.00     Small Entity - \$165.00 TECH CENTER 1600/2900
3.  A petition and fee for an extension of time for reply to the rejection is enclosed.  
 Large Entity  
 \$110.00     \$420.00     \$950.00     \$1,480.00  
 Small Entity  
 \$55.00     \$210.00     \$475.00     \$740.00
4.  A check for the amount of \$330.00 is enclosed.
5.  Please charge the fee(s) to Deposit Account Number 23-0785. A duplicate copy of this sheet is attached.
6.  Please charge any additional fee(s), or credit any overpayment, to Deposit Account Number 23-0785. A duplicate copy of this sheet is enclosed.

I am:  applicant.  
 assignee of record of the entire interest.  
 attorney or agent of record  
 attorney or agent acting under 37 C.F.R. 1.34(a).

08/23/2004 HVOUONG1 00000123 09470944

01 FC:1401

330.00 OP

  
Lisa V. Mueller, Reg. No. 38,978

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
Citicorp Center, Suite 3800  
500 West Madison Street  
Chicago, Illinois 60661-2511  
312/876-1800  
August 19, 2004



### CERTIFICATE OF MAILING

I hereby certify that this Notice of Appeal is being deposited with the United States Postal Service with sufficient postage by First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on Thursday, August 19, 2004.

A handwritten signature in black ink, appearing to read "Aidah Abdallah".

Aidah Abdallah

AUG 26 2004

CENTER 1600/2900